REMARKS

Claims 25-34 and 64-73 are currently pending in this application. Claims 31 and 64 have been amended in this response.

In the Final Office Action mailed December 14, 2005, claims 31, 32 and 64 were rejected. More specifically, the status of the claims in light of this Office Action is as follows:

(A) Claims 31, 32 and 64 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,906,472 to Nakamura ("Nakamura");

(B) Claims 25-30 were allowed; and

(C) Claims 34 and 65-73 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend.

A. Response to the Section 102(e) Rejection

Claims 31, 32 and 64 were rejected under 35 U.S.C. § 102(e) as being anticipated by Nakamura. As set forth below, Nakamura fails to disclose or suggest all the features of these claims.

1. Claim 31 is Directed to a Retainer for Holding a Tray Stack Including, *inter alia*, (a) a Casing Having a Guide Structure, and (b) a Floating Plate Moveably Coupled to the Guide Structure and Positioned in the Casing

Claim 31 is directed to a retainer for holding a tray stack having a plurality of trays that are configured to carry microelectronic devices. The retainer includes a casing having (a) a guide structure with a first end and a second end, (b) an interior holding area, and (c) an opening at least proximate to the second end. The guide structure is configured to support the tray stack with respect to a load/unload path and allow the tray stack to move through the guide structure along the load/unload path. The retainer further includes a plurality of moveable retaining elements at least proximate to the second end of the guide structure. The retaining elements are moveable between a storage position and a load/unload position. In the storage position, the retaining elements project into the interior holding area of the casing. In the load/unload

position, the retaining elements either do not project as far into the interior holding area or are completely removed from the interior holding area. The retainer also includes a floating plate moveably coupled to the guide structure and positioned in the casing to move along the load/unload path. The floating plate pushes the trays against the retaining elements when the retaining elements are in the storage position, and the floating plate pushes the trays out of the casing when the retaining elements are in the load/unload position.

2. Nakamura Discloses a Tray Removing Apparatus Having (a) a Tray Storage Container Supporting Section, and (b) an Elevator for Removing Trays from a Tray Storage Container Resting on the Supporting Section

Nakamura discloses a tray removing apparatus for removing trays loaded with ICs from tray storage containers KAS and testing the ICs. The tray storage containers KAS are designed for "transporting trays, whether empty or loaded with ICs, in a safe manner." (Nakamura, col. 9, lns. 18-19.) The individual tray storage containers KAS hold a stack of trays and include an opening at the bottom for removing the trays. The tray removing apparatus includes (a) a housing having a tray storage container supporting section 11, and (b) an elevator 14 for carrying trays that have been removed from a particular storage container KAS. During operation, a tray storage container KAS is placed on the tray removing apparatus such that the container KAS rests on the supporting section 11. The opening of the tray storage container KAS faces toward the tray removing apparatus so that the trays can be removed from the container KAS and placed on the elevator 14. The tray storage container KAS is not connected to the tray removing apparatus, but rather rests on the supporting section 11. As such, the elevator 14 is not attached to the tray storage container KAS. After testing the ICs in the removed trays, the tray storage container KAS is removed from the tray removing apparatus and another tray storage container KAS is placed on the apparatus.

3. Nakamura Fails to Disclose or Suggest a Retainer for Holding a Tray Stack Including, *inter alia*, (a) a Casing Having a Guide Structure, and (b) a Floating Plate Moveably Coupled to the Guide Structure and Positioned in the Casing

Nakamura fails to disclose or suggest a retainer for holding a tray stack including, *inter alia*, "a casing having a guide structure" and "a floating plate moveably coupled to the guide structure and positioned in the casing," as recited in claim 31. In the Final Office Action mailed

December 14, 2005, the Examiner asserts, "Nakamura discloses all of the claim limitations in a similar device in FIG. 5, the device comprising a(n): Casing KAS . . . [and] floating plate 14." (Final Office Action, p. 2.) Even if Nakamura's tray storage container KAS and elevator 14 correspond to the casing and floating plate, respectively, of claim 31 as suggested by the Examiner, Nakamura's elevator 14 is not movably coupled his tray storage container KAS. Rather, Nakamura's elevator 14 is a component of his tray removal apparatus, and Nakamura's tray storage container KAS temporarily rests on the supporting section 11 of the tray removal apparatus while trays are removed from the container KAS. As a result, the tray storage container KAS is not coupled to the elevator 14 or any other component of the tray removal apparatus.

Moreover, one of ordinary skill in the art would not be motivated to modify Nakamura's tray storage container KAS and/or elevator to couple the two components together because such a modification would frustrate one purpose of Nakamura's invention. Nakamura's tray storage containers KAS are designed for "transporting trays, whether empty or loaded with ICs, in a safe manner." (Nakamura, col. 9, lns. 18-19.) Furthermore, Nakamura's tray removal apparatus is designed to remove trays loaded with ICs from a tray storage container KAS. The removed ICs are tested and then returned to the tray storage container KAS. The tray storage container KAS can then be removed from the tray removal apparatus so that another tray storage container KAS loaded with ICs can be placed on the removal apparatus. If Nakamura's tray storage container KAS and elevator were coupled together, then the tray storage container KAS could not transport trays but rather would remain connected to the tray removal apparatus. Moreover, the tray removal apparatus would not be able to test ICs from other tray storage containers. Accordingly, one skilled in the art would not be motivated to modify Nakamura's tray storage container KAS and/or elevator to couple the two components together. Therefore, the Section 102(e) rejection of claim 31 should be withdrawn because (a) Nakamura fails to disclose or suggest all the elements of claim 31, and (b) one of ordinary skill in the art would not be motivated to modify Nakamura's device to include all the elements of claim 31.

Claim 32 depends from claim 31. Accordingly, the Section 102(e) rejection of claim 32 should be withdrawn for at least the reasons discussed above with reference to claim 31 and for the additional features of this claim.

Independent claim 64 has, *inter alia*, features generally analogous to the features of claim 31. Accordingly, the Section 102(e) rejection of claim 64 should be withdrawn for at least the reasons discussed above with reference to claim 31 and for the additional features of this claim.

B. Objection to Claims 34 and 65-73

Claims 34 and 65-73 were objected to as being dependent upon a rejected base, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend. These claims have not been rewritten in independent form because the rejection of their respective independent claims should now be withdrawn.

C. Conclusion

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The applicants accordingly request reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact David Dutcher at (206) 359-6465.

Respectfully submitted,

Perkins Coie LLP

Date: 5/15/06

David T. Dutcher
Registration No. 51,638

Correspondence Address:
Customer No. 25096
Perkins Coie LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000